

AUSA

JUL 23 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

Felipe RAMIREZ-Ramirez,
Defendant.

Magistrate Case No. **'08 MJ 8671**


COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

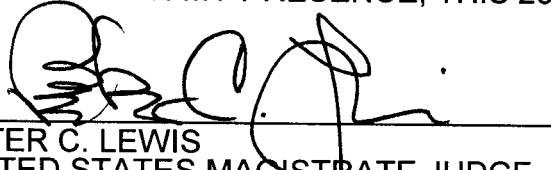
The undersigned complainant being duly sworn states:

That on or about July 22, 2008, within the Southern District of California, defendant Felipe RAMIREZ-Ramirez did knowingly and intentionally import approximately 65.58 kilograms (144.27 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


BRANDON M. WOOD
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 23rd
DAY OF JULY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Felipe RAMIREZ-Ramirez

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Brandon
7 Wood.

8 On July 22, 2008, at approximately 1155 hours, Felipe RAMIREZ-Ramirez
9 entered the United States at the Calexico, California West Port of Entry (POE).
10 RAMIREZ was the driver, sole occupant, and registered owner of a 1990 Ford F-150
11 with Mexican license plate number BN08273.

12 Customs and Border Protection Officer (CBPO) J. Montalvo was manning
13 primary lanes when RAMIREZ approached his lane. CBPO J. Montalvo noticed that
14 RAMIREZ's hand was shaking as he presented his identification. RAMIREZ stated to
15 CBPO J. Montalvo that the vehicle was registered under his name. CBPO J. Montalvo
16 noticed that RAMIREZ continued to say that he had a user free decal on his truck and
17 did not need to pay the fee at the border. CBPO J. Montalvo referred RAMIREZ and
18 his vehicle to the vehicle secondary lot for a more intensive inspection.

19 In the vehicle secondary lot, CBPO I. Mercado asked Customs and Border
20 Protection Canine Officer (CEO) E. Smura to use his Human-Narcotics Detector Dog
21 (NHDD) on the propane tank in the bed of RAMIREZ's vehicle. CEO E. Smura's HNDD
22 alerted to the driver's side lower area of the propane tank. CEO E. Smura notified
23 CBPO I. Mercado of the alert.

24 CBPO I. Mercado upon further inspection of the propane tank discovered a
25 special compartment within the propane tank. CBPO I. Mercado discovered five (5)
26 large packages within the compartment. One of the packages was probed and
27 produced a green leafy substance which was extracted and field tested positive for
28 marijuana, a Schedule I Controlled Substance. The total weight of the packages was
29 65.58 kilograms (114.27 pounds).

1 Special Agent (SA) Brandon Wood placed RAMIREZ under arrest for violation of
2 Title 21 United States Code 952 and 960, Importation of a Controlled Substance.
3 RAMIREZ was advised of his Constitutional Rights, per Miranda, which he
4 acknowledged and waived.

5 RAMIREZ admitted knowledge that a controlled substance was concealed within
6 the vehicle. RAMIREZ stated to SA Wood that he was to be paid \$2000.00 to smuggle
7 the controlled substance into the United States. RAMIREZ was processed, booked,
8 and transported to Imperial County Jail.